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August 6, 2019

Mr. Scott Anderson, Mayor
City of Stevenson
P.O. Box 371
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Mayor Anderson,

As a follow-up to our meeting on August 5, 2019, I want to offer some thoughts and clarification regarding my views and actions related to initiative 1639.

Since the passage of this initiative, I have been cautious in reacting and methodical in how to address my position. After much thought, I have concluded that the language of the law produced a less than clear path forward for those citizens desiring to purchase firearms. I remain aware of the legal challenges that have been filed and have observed the very public positions taken by my peers across the State.

As you are aware, I submitted a letter to the Skamania County Board of Commissioners a few months ago explaining that I felt it was unfair and inappropriate to attempt to apply enforcement authority over the citizens of Skamania County specific to 1639 until such time that many of the questions surrounding the law could be answered.

That said, I do believe it is imperative to offer some clarifying thoughts:

Enhanced Background checks

I am firmly committed to ensuring that all persons who are legally eligible to purchase and possess a firearm are provided an expeditious path to accomplish this. Therefore, the Sheriff's Office will continue to perform the necessary and required background checks as required by law. Adversely, those persons deemed ineligible by law, will be prohibited.

Firearms Safety Training

This requirement is outside of my enforcement authority and is a requirement between the purchaser and the dealer. My office does not provide the training or certify the validity of said training.

Purchase of semi-automatic rifles

The law prohibits the purchase of a semi-automatic rifle for persons age 18-20. The law does not prohibit possession of the same firearm by a person age 18-20. Therefore, the enforcement of this provision rest with the transaction or point of sale and is beyond my enforcement authority.

Safe Storage of firearms

The law requires safe storage in order to prevent a prohibited person from gaining access to a firearm. The definition of safe storage remains unclear. The Washington State Attorney General has provided a definition of safe storage that conflicts with the definition found in the law. My position remains that the threshold of your residence constitutes safe storage. Any person who enters and takes a firearm without permission, whether they use it in a crime or not, can be prosecuted under current statutes.

The law allows for a firearm owner to be prosecuted in the event they fail to meet the 5- day requirement of reporting a missing or stolen firearm. I have no intention of advocating for criminal charges on a firearm owner who has already been victimized by theft or burglary.

Annual verification of firearm ownership

The law requires that a process and criteria be developed between July of 2019 and July of 2020 to annually verify a firearm owner is still eligible to possess a firearm. This provision of the law is extremely troubling from many perspectives. Because these criteria have yet to be developed, it is impossible to intelligently discern a course of action. I intend to remain involved in the development of these processes and will commit to keeping the City informed as it moves along.

Our system of government, having 3 distinct and separate branches, affords the judicial branch the authority to rule on the constitutional basis of a law. I continue to respect that and as previously stated, look forward to the decisions from the courts on the challenges already presented.

As the law enforcement provider for the City, I remain committed to ensuring we provide an expected level of service that meets the public safety needs of the citizens of Stevenson.

As always, I am available to discuss the issues surrounding 1639 or any law enforcement issue relevant to the City of Stevenson.

Sincerely,

A handwritten signature in black ink, appearing to read "Dave Brown", with a long horizontal line extending to the right.

Dave Brown
Sheriff